
REMARKS

This communication is a full and timely response to the non-final Office Action dated January 6, 2004. By this communication, claim 6 was canceled and claims 1-5, 7, and 8 have been amended to improve idiomatic English and form. Moreover, claim 1 has been amended to recite the selected advertisement information is a questionnaire, and an audience response to the questionnaire is communicated to the server. Support for the changes to claim 1 can be found variously throughout the specification and claims, for example, in original claim 6. Applicant submits that this amendment adds no new matter. Claims 1-5, 7, and 8 are pending where claim 1 is independent.

Rejections Under 35 U.S.C. §101

Claims 1-8 were rejected under 35 U.S.C. §101 as directed to non-statutory subject matter. Applicant respectfully traverses this rejection.

As amended, claim 1 is directed to a method for providing advertisement information stored in a server to an exhibitor via a network. This process includes the steps of requesting access to information stored on the server, selecting advertisement information when access is authorized. The selected advertisement information is then sent over the network from the server to the exhibitor. For at least the recitation of the elements discussed above, Applicant submits that claim 1 is directed to a useful, concrete, and tangible application in the computer arts. Accordingly, Applicant respectfully requests that the rejection of claim 1 under 35 U.S.C. §101 be withdrawn and this claim allowed.

Claims 2-8 depend from claim 1. By virtue of this dependency Applicant respectfully requests that the rejection of claims 2-8 under 35 U.S.C. §101 be withdrawn and these claims allowed.

Rejections Under 35 U.S.C. §103

Claims 1-8 were rejected under 35 U.S.C. §103(a) as obvious over *Gritzmacher et al.*, U.S. Patent Application Publication No. US 2003/0225641. Applicant respectfully traverses this rejection.

Claim 1 recites a presentation method for providing advertisement information stored in a server to an exhibitor via a network comprising the steps of requesting access to information stored in the server over the network; selecting advertisement information among information stored in the server when access is authorized; sending selected advertisement information from the server to the exhibitor over the network, wherein the selected advertisement information is a questionnaire, and a response to the questionnaire is communicated over the network from the audience to the server

Gritzmacher discloses a system that uses a secure broadband network whereby a fully integrated digital production line for full-motion visual products from conceptual planning to display/exhibition may be used in a wide variety of audio/video applications. See page 2 paragraph 30. Users may communicate with applications running on a server at a digital hub to electronically perform a variety of functions associated with the digital production line for full-motion visual products. These functions are associated with a number of production phases that include project planning 102, content creation 104, content management 106, and content distribution/use 108. However, in all the processes and functional capabilities described, *Gritzmacher* fails to disclose, teach, or suggest at least the selected advertisement information is a questionnaire and a response to the questionnaire communicated from the audience to the server over the network.

To establish *prima facie* obviousness of a claimed invention, all of the claim limitations must be taught or suggested by the prior art. In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). Moreover, obviousness "cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching or suggestion supporting the combination." ACS Hosp. Sys. V. Montefiore Hosp., 732 F.2d 1572, 1577, 221 USPQ 929, 933 (Fed. Cir. 1984). For at least the reasons discussed above, Applicant submits that a *prima facie* case for obviousness has not been established. Accordingly, Applicant respectfully requests that the rejection of claim 1 under 35 U.S.C. §103 be withdrawn and this claim be allowed.

Claims 2-5, 7, and 8 depend from claim 1. By virtue of this dependency, Applicant submits that claims 2-5, 7, and 8 are allowable for at least the same

reasons given above with respect to their respective base claims. In addition, Applicant submits that claims 2-5, 7, and 8 are further distinguished over *Gritzmacher* by the additional elements recited therein, and particularly with respect to each claimed combination. Applicant respectfully requests, therefore, that the rejection of claims 2-5, 7, and 8 under 35 U.S.C. §103 be withdrawn, and these claims be allowed.

C nclusion

Based on at least the foregoing amendments and remarks, Applicants submit that claims 1-5, 7, and 8 are allowable, and this application is in condition for allowance. Accordingly, Applicants request favorable reexamination and reconsideration of the application. In the event the Examiner has any comments or suggestions for placing the application in even better form, Applicants request that the Examiner contact the undersigned attorney at the number listed below.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. UDK-001 from which the undersigned is authorized to draw.

Dated: March 31, 2004

Respectfully submitted,

By 
Shawn B. Cage
Registration No.: 51,522
Attorney for Applicant

RADER, FISHMAN & GRAUER, PLLC

Lion Building
1233 20th Street, N.W., Suite 501
Washington, D.C. 20036
Tel: (202) 955-3750
Fax: (202) 955-3751
Customer No. 23353

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In the event additional fees are necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge Deposit Account No. 180013 for any such fees; and applicants hereby petition for any needed extension of time.